

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF MARTIN) CASE NO.
COUNTY WATER DISTRICT FOR AN) 2018-00017
ALTERNATIVE RATE ADJUSTMENT)

ORDER

On October 11, 2019, Martin County Water District (Martin District) filed a motion requesting that Earnest Hale be excused from appearing as a witness at the October 22, 2019 hearing scheduled in this matter because Mr. Hale's work schedule and the demands of his employment make it unreasonably burdensome to appear at the hearing.

Based upon the motion and case record, and being otherwise sufficiently advised, the Commission finds that Martin District failed to establish good cause to excuse Mr. Hale from testifying at the October 22, 2019 hearing. First, Mr. Hale had over one month's advance notice of the hearing, which should have provided sufficient time for Mr. Hale to arrange his work schedule.¹ Second, Mr. Hale has unique knowledge gained from his position on Martin District's Board, and his professional education, experience, and skills regarding financial and accounting information will assist the Commission in rendering a determination in this proceeding.

IT IS HEREBY ORDERED that Martin District's motion to excuse Earnest Hale from appearing at the October 22, 2019 hearing is denied.

¹ An Order directing Mr. Hale to appear at the hearing was entered on September 17, 2019. The Order was served on Martin District, Martin District's General Manager, and counsel for Martin District.

By the Commission



ATTEST:


Executive Director

*Brian Cumbo
Attorney at Law
P.O. Box 1844
Inez, KENTUCKY 41224

*Martin County Water District
387 East Main Street, Suite 140
Inez, KY 41224

*Greg Scott
General Manager
Martin County Water District
387 East Main Street, Suite 140
Inez, KY 41224

*Mary Cromer
Appalachian Citizens' Law Center, Inc.
317 Main Street
Whitesburg, KENTUCKY 41858

*M. Todd Osterloh
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507